

U.S. Department of Justice



*United States Attorney
Southern District of New York*

MEMO ENDORSED

*86 Chambers Street
New York, New York 10007*

March 29, 2024

Via ECF

Honorable Dale E. Ho
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Knight First Amendment Institute at Columbia Univ. v. U.S. Dep't of State et al.*,
22 Civ. 3003 (DEH)

Dear Judge Ho:

This Office represents defendants the U.S. Department of State (“State”), the U.S. Department of Homeland Security (“DHS”), and the Office of the Director of National Intelligence (“ODNI”; collectively with State and DHS, “Defendants” or the “Agencies”) in the above-referenced case brought by plaintiff Knight First Amendment Institute at Columbia University (“Plaintiff”) pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552.

We write respectfully to provide a status update regarding the Agencies’ productions of records responsive to Plaintiff’s FOIA request.¹ As stated in Defendants’ previous status updates, State and DHS previously completed their production of records that were subject to consultations. See Dkt. Nos. 34, 36, 39, 41.

As of last status report, ODNI had seven documents that were pending consultations with DHS. DHS has since completed those consultations. DHS also identified additional consultations necessary with another component; however, upon review, those additional consultations had already been completed. ODNI expects to issue a response relating to those records by April 2, which will complete ODNI’s response to the FOIA request.

Given that all three Agencies expect to complete their responses (including all consultations) to Plaintiff’s FOIA request by next week, Defendants respectfully propose to provide a status update within 30 days. This will permit the parties to confer regarding any outstanding issues regarding the productions to date and determine how we propose to proceed regarding any disputes between the parties.

¹ This matter was reassigned to Your Honor on October 15, 2023. Pursuant to the Court’s order dated October 17, 2023, Dkt. No. 38, Defendants have continued to proceed pursuant to the schedule previously set by Judge Failla, to whom the case was previously assigned.

Thank you for your consideration of this matter.

Application **GRANTED**.

Defendants shall provide a status update within 30 days.

SO ORDERED.



Dale E. Ho
United States District Judge
Dated: April 1, 2024
New York, New York

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

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cc: Counsel of record (via ECF)